

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(GREENBELT)**

**AMENDED MOTION FOR RELIEF FROM THE AUTOMATIC
STAY AS TO THE PROPERTY KNOWN AS
7755 & 7757 Belle Point Drive, Greenbelt, MD 20770**

Hard Money PA LLC (“Movant”), by and through its attorneys, Shulman Rogers, P.A., moves for relief from the automatic stay (the “Motion”) pursuant to 11 U.S.C. §§ 105(a) and 362(d) and Rules 4001 and 9014 of the Bankruptcy Rules, and states as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. §§ 1334, and 157, 11 U.S.C. § 362, and Bankruptcy Rule 4001.
2. Movant is a secured creditor of Debtor Prosperity Partners Inc. (“Debtor”), whose claim is based upon a certain Commercial Flat Rate Note With Balloon Payment dated May 22,

2023, executed by Debtor in favor of Movant, in the original principal amount of \$75,000.00 (the “Note”). A true and correct copy of the Note is attached hereto as **Exhibit 1**.

3. Repayment of the Note is secured by that certain Deed of Trust, Assignment of Rents and Security Agreement dated May 22, 2023, and recorded in Book 48907, at Page 82, among the Land Records of Prince George’s County, Maryland (the “Deed of Trust”), against the Property located at 7755 & 7757 Belle Point Drive, Greenbelt, MD 20770 (the “Property”).

4. Movant’s claim is supported by Movant’s proof of claim filed on November 2, 2023, as amended. *See* Claim 43 (the “Claim”).

5. Under the terms of the Note, the Debtor agreed, *inter alia*, to make one payment of \$811.88 on the date of Note execution, eleven monthly payments of \$811.88 beginning on August 1, 2023, and continuing each and every month thereafter, and a one final balloon payment of the remaining indebtedness on or before June 1, 2024. *See* Exhibit 1 at 1.

6. On October 2, 2023, Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code, initiating the above-captioned case.¹

7. The Debtor has accrued pre-petition arrears as follows:

Principal	\$75,000.00
Interest	\$ 27.06
Other Fees	\$ 35.00
<u>Late Charges</u>	<u>\$ 81.19</u>

TOTAL DUE PRE-PETITION \$75,143.25

8. As of November 11, 2024, the Debtor has accrued post-petition arrears as follows:

Interest	\$20,350.00
<u>Late Charges</u>	<u>\$ 1,950.00</u>

TOTAL DUE POST-PETITION \$22,300.00

¹ Debtor’s bankruptcy case was later converted to Chapter 7 on or about January 4, 2024.

9. Cause exists under 11 U.S.C. § 362(d)(1) to grant Movant relief from the automatic stay because Debtor has failed to provide Movant with adequate protection of its interests under the Note and Deed of Trust.

10. As the Note matured on June 1, 2024, the entire balance due under the Note is due and owing in full to Movant.

11. However, as the above-captioned case has been pending for over a year, the lack of movement has unreasonably delayed Movant's ability to enforce any of its rights against the Property. Further, the existence of continuous related litigation has resulted in prolonged delays to a creditor who provided financing that was to be repaid within one year. The continued delays have caused hardship to the Movant and Movant must have relief from the stay to exercise its rights with respect to the Property.

12. Therefore, cause exists for termination of the stay under 11 U.S.C. § 362(d)(1) as Movant lacks adequate protection and continues to be harmed by the stay of 11 U.S.C. § 362(a).

13. Movant shall rely on this Motion and no memorandum of fact or law shall be filed.

WHEREFORE, Movant prays that an Order be entered:

- A. Terminating the automatic stay of 11 U.S.C. § 362(a) with respect to the Property;
- B. Authorizing Movant to exercise all rights against the Property under the Note; and
- C. Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

SHULMAN ROGERS, P.A.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of November, 2024, the following parties received via electronic case filing this **Amended Motion for Relief** and **Amended Notice of Motion**:

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I further certify that on this 25th day of November, 2024, I caused to be mailed by first class mail, postage prepaid, copies of this **Amended Motion for Relief** and **Amended Notice of Motion** to the following:

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